



City of Keene Zoning Board of Adjustment

SPECIAL MEETING

AGENDA

Monday, August 19, 2024

6:30 p.m.

City Hall, 2nd Floor Council Chambers

- I. Introduction of Board Members:
- II. Minutes of the Previous Meeting:
- III. Unfinished Business:
- IV. Hearings:

ZBA-2024-21: Petitioner, George Hansel of Tailfeather Strategies, requests a variance for property located at 57 Marlboro St., Tax Map #590-093-000. This property is in the Downtown Edge District and is owned by Jarod Goodell. The Petitioner requests a variance to permit new construction outside of the 0-20 foot build to zone that is required in the Downtown Edge District per Article 4.4.1.C of the Zoning Regulations.

ZBA-2024-22: Petitioner, George Hansel of Tailfeather Strategies, requests a variance for property located at 57 Marlboro St., Tax Map #590-093-000. This property is in the Downtown Edge District and is owned by Jarod Goodell. The Petitioner requests a variance to permit new construction within 20 feet of the minimum interior side setback that is required when a parcel in the Downtown Edge District abuts a parcel in the Downtown Transition District per Article 4.4.1.E of the Zoning Regulations.

ZBA-2024-23: Petitioner, George Hansel of Tailfeather Strategies, requests a special exception for property located at 57 Marlboro St., Tax Map #590-093-000. This property is in the Downtown Edge District and is owned by Jarod Goodell. The Petitioner requests a special exception to permit the major parking reduction per Article 9.2.7.C of the Zoning Regulations.

- V. New Business:
- VI. Communications and Miscellaneous:
- VII. Non-Public Session: (if required)
- VIII. Adjournment:

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57 MARLBORO ST.
ZBA-2024-21



Petitioner requests a Variance to permit new construction outside the build-to zone per Article 4.4.1.C of the Zoning Regulations.



NOTICE OF HEARING

ZBA-2024-21

A special meeting of the Zoning Board of Adjustment will be held on **Monday, August 19, 2024, at 6:30 PM** in City Hall Council Chambers, 2nd floor, 3 Washington St, Keene, New Hampshire to consider the following petition.

ZBA-2024-21: Petitioner, George Hansel of Tailfeather Strategies, requests a variance for property located at 57 Marlboro St., Tax Map #590-093-000. This property is in the Downtown Edge District and is owned by Jarod Goodell. The Petitioner requests a variance to permit new construction outside of the 0-20 foot build to zone that is required in the Downtown Edge District per Article 4.4.1.C of the Zoning Regulations.

You are receiving notice of this hearing as an abutter to or owner of property within 200-ft. of the subject parcel.

This meeting is open to the public, and anyone wishing to speak on the proposal will be given an opportunity to be heard during the public hearing for this application. The application for this proposal is available for public review in the Community Development Department on the 4th floor of City Hall between the hours of 8:00 am and 4:30 pm or online at <https://keenenh.gov/zoning-board-adjustment>

Please be advised that this may be the only certified notice you will receive. You are encouraged to review future Zoning Board of Adjustment agendas for the status of this application at keenenh.gov/zoning-board-adjustment. If you have any questions, please contact me at the Community Development Department at (603) 352-5440.

Corinne Marcou, Zoning Clerk
Notice issuance date August 9, 2024



7/16/2024

City of Keene, Community Development Department
3 Washington St., Keene, NH 03431
Attn: Mari Brunner, Zoning Administrator

Re: 57 Marlboro Street development – Narrative for Variance Request No. 1: Relief from the 0-20' Build-to zone

Administrator Brunner,

Tailfeather Strategies, on behalf of property owner Mr. Jared Goodell, submit the following information to aid in the decision to grant a variance for a proposed development on the lot located at 57 Marlboro Street (TMP#: 590-093-000-000-000), which is in the Downtown Edge (DT-E) zoning district. The proposed development intends to construct (3) new duplexes on the site, adding (6) new units of housing. We are seeking relief from the requirement for a 0-20' Build-to zone in the Downtown Edge zoning district as described on page 4-10, Article 4.4.1.C "Dimensions and Siting" of Keene's Land Development Code (LDC).

It's clear that the Build-to zone requirements were created to regulate the border between private building lots and public streets. The parcel at 57 Marlboro Street does not have a border to regulate as it does not have frontage on a public street; Therefore, it is impractical to apply this regulation on a parcel that is otherwise able to accommodate development.

We look forward to presenting this information to the Zoning Board of Adjustment for their consideration. Please let me know if there are any clarifying questions or concerns.

Thanks and best regards,

A handwritten signature in blue ink, appearing to read "George Hansel", written over a horizontal line.

George Hansel, Tailfeather Strategies

Submitted with permission on behalf of:

A handwritten signature in black ink, appearing to read "Jared Goodell", written over a horizontal line.

Jared Goodell, Property Owner

Zoning Board of Adjustment Variance Application



For Office Use Only:	
Case No.	<u>ZBA-2021-21</u>
Date Filled	<u>7/19/21</u>
Rec'd By	<u>CSM</u>
Page	<u>1</u> of <u>19</u>
Rev'd by	_____

If you have questions on how to complete this form, please call: (603) 352-5440 or
email: communitydevelopment@keeneh.gov

SECTION 1: CONTACT INFORMATION

I hereby certify that I am the owner, applicant, or the authorized agent of the owner of the property upon which this appeal is sought and that all information provided by me is true under penalty of law. If applicant or authorized agent, a signed notification from the property owner is required.

OWNER / APPLICANT

NAME/COMPANY: **Jared Goodell**

MAILING ADDRESS: **PO Box 305, Keene NH 03431**

PHONE: **(603) 762-0202**

EMAIL: **jared@titonmarketing.com**

SIGNATURE: 

PRINTED NAME: **Jared Goodell**

APPLICANT (if different than Owner/Applicant)

NAME/COMPANY:

MAILING ADDRESS:

PHONE:

EMAIL:

SIGNATURE:

PRINTED NAME:

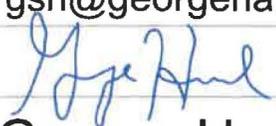
AUTHORIZED AGENT (if different than Owner/Applicant)

NAME/COMPANY: **George Hansel/Tailfeather Strategies**

MAILING ADDRESS: **PO Box 283, Keene, NH 03431**

PHONE: **(603) 903-3677**

EMAIL: **gsh@georgehansel.com**

SIGNATURE: 

PRINTED NAME: **George Hansel**

SECTION 2: PROPERTY INFORMATION

Property Address: **57 Marlboro St., Keene, NH 03431**

Tax Map Parcel Number: **590-093-000-000-000**

Zoning District **Downtown - Edge**

Lot Dimensions: Front: **76.3'** Rear: 111.2' Side: 197.96' Side: 106.21'

Lot Area: Acres: **.30** Square Feet: 13016

% of Lot Covered by Structures (buildings, garages, pools, decks, etc): Existing: **10.44%** Proposed: 25.19%

% of Impervious Coverage (structures plus driveways and/or parking areas, etc): Existing: 11406 Proposed: **8,245**

Present Use: Residential

Proposed Use: Residential

SECTION 3: WRITTEN NARRATIVE

Article 25.5.4.A.: Describe the property location, owner of the subject property, and explain the purpose and effect of, and justification for, the proposed variance.

See attached.

SECTION 4: APPLICATION CRITERIA

A Variance is requested from Article (s) 4.4.1.C of the Zoning Regulations to permit:

New construction outside of the 0-20' Build-to zone that's required in the Downtown Edge (DT-E) zoning district.

Briefly describe your responses to each criteria, using additional sheets if necessary:

1. Granting the variance would not be contrary to the public interest because:

See attached.

2. If the variance were granted, the spirit of the ordinance would be observed because:

See attached.

3. Granting the variance would do substantial justice because:

See attached.

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

See attached.

5. Unnecessary Hardship

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

See attached.

and

ii. The proposed use is a reasonable one because:

See attached.

B. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

See attached.



We offer the following responses to the criteria outlined in Article 25.5.4.A of Keene's LDC:

SECTION 3: Describe the property location, owner of the subject property, and explain the purpose and effect of, and justification for, the proposed variance.

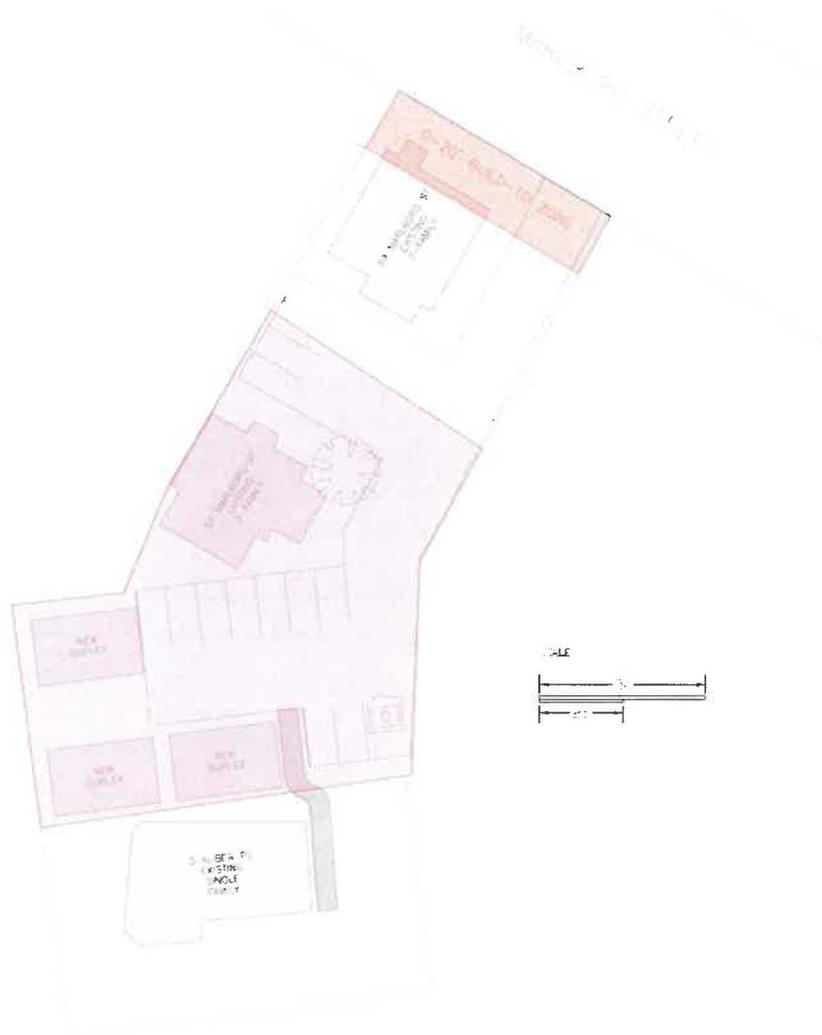
Property Location: 57 Marlboro Street (TMP#: 590-093-000-000-000)

Property Owner: Jared Goodell, PO Box 305, Keene NH 03431

The subject property currently has a three-family structure and no street frontage. It is accessed by a private road (Aliber Place) that connects to Marlboro Street and acts as a shared driveway for three residential properties: 57 Marlboro Street, 59 Marlboro Street, and 3 Aliber Place. All three parcels are served by city water and sewer. The subject parcel is sandwiched between a lot with a single-family residence to the rear and a lot with a two-family residential property with frontage on Marlboro Street.

The proposed development will add (3) two-family structures to a currently vacant section of 57 Marlboro Street. In total, (6) new housing units will be added. These units will be marketed as workforce housing. While unusual, development without frontage is permissible under RSA 674.41 with approval by the City Council. Mr. Goodell is seeking this approval through a separate application and process.

We are requesting the granting of a variance from complying with the 0-20' Build-to zone requirement as described on page 4-10, Article 4.4.1 "Dimensions and Siting" of Keene's LDC. The subject parcel is 56.5' away from the edge of the 0-20' Build-to zone, so compliance with this requirement is not possible. [See illustration on Page 3]:



As shown in the illustration, the closest lot line is more than 56.5' from the edge of Build-to zone. These unusual site characteristics make it impossible for any new development to comply with the 0-20' Build-to zone requirement. Additionally, an existing 2-family structure, located at 59 Marlboro Street (TMP#: 590-094-000-000-000), is within the 0-20' Build-to zone. The convenient location of this structure on an adjoining lot currently meets the intent of the ordinance for all practical purposes. This existing condition will not be impacted by the proposed development.



SECTION 4-1: *Granting the variance would not be contrary to the public interest because:*

It will facilitate the addition of (6) new workforce housing units

A recent Housing Needs Assessment and Strategy prepared by Camoin Associates and commissioned by the City found that there is a need for the creation of approximately 1,400 new housing units in Keene over the next ten years. The granting of this request will help address this housing shortage by creating new workforce housing units.

It will promote infill development and smart growth practices

The proposed new structures represent infill development, rather than urban sprawl. The new parking configuration and development will reduce impervious surfaces on the site by more than 3,000 SF, replacing aging asphalt and gravel with green space.

It will minimize the visual impact of the development from the public right of way

The public's view of the new buildings from Marlboro Street will be largely blocked by existing structures, mitigating the visual impact of the new development from the public right of way. As it relates to the Build-to zone requirement, the public's interest in having a consistent line of building facades along Marlboro Street is already met by the building located on an adjoining property (59 Marlboro Street). The proposed development will have no impact on this existing condition.

SECTION 4-2: *If the variance were granted, the spirit of the ordinance would be observed because:*

The spirit of the ordinance is to encourage the development and utilization of appropriate land for building construction and to ensure that new structures maintain a consistent line of building facades along public streets. As 57 Marlboro Street does not have frontage, this development will have no impact on the existing line of building facades along Marlboro Street. The consistency that already exists with current structures will remain and the proposed development will be minimally visible from the public right of way. Granting this variance is necessary for the appropriate utilization of this land for building construction, which is essential for realizing the full intent of this ordinance.

SECTION 4-3: *Granting the variance would do substantial justice because:*

The Build-to zone requirement in the LDC does not consider parcels that don't have frontage, like 57 Marlboro Street, so granting this variance request will do substantial justice by allowing the property owner to fully utilize their property. To that end, the proposed development will allow the property at 57 Marlboro Street to be utilized to its highest and best use in a way that is consistent with surrounding properties.

The granting of this variance will also do substantial justice to the surrounding neighborhood. The placement of the new buildings will be largely out of public view, which will increase privacy for the new residents and protect the public from any visual impacts from the new development.



SECTION 4-4: *If the variance were granted, the values of the surrounding properties would not be diminished because:*

The granting of this variance and the addition of new housing units in this area will not diminish values of the surrounding properties for the following reasons:

Architectural consistency

The new buildings have been designed to be consistent with other buildings in the neighborhood. While these buildings will be the only structures in the surrounding area built in the last 30+ years, they have been designed to be visually consistent with existing residential structures.

On-site infrastructure improvements

This development presents an opportunity to replace aging water and sewer lines, asphalt, and landscaping. The new development will also add more than 3,000 SF of green space to the site. These improvements are sure to increase the surrounding property values.

Highest and best use

The addition of (6) new housing units on this site will more than double the current property value. The current lack of affordable workforce housing in Keene is limiting economic growth. The addition of new housing units creates housing opportunities for new and existing residents, which in turn supports community vitality.

Rather than diminish values of the surrounding properties, this project will likely increase values and may inspire other property owners to pursue similarly creative and low-impact solutions to add housing units to existing underutilized parcels throughout the City.

SECTION 4-5: *Unnecessary Hardship*

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

The unique characteristics of this parcel, the lack of frontage, coupled with the existence of a currently undeveloped area that is well suited to housing development, presents a great opportunity for the property owner to create desperately needed housing for our community.

Denial of this variance request would constitute an unnecessary hardship as it will prevent any new development on this parcel, or full utilization of the property owner's land. Such a denial would not be consistent with the intent of the Build-to zone requirement, which encourages development and utilization of the available space for structures.



i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

There is no fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property because the subject parcel doesn't have street frontage. It's clear that the build-to zone requirements were created to regulate the border between private building lots and public streets. It is impractical to apply this regulation when such a border does not exist.

ii. The proposed use is a reasonable one because:

The proposed use is reasonable because residential uses such as those being proposed are allowed by right in the Downtown-Edge (DT-E) zoning district. These additional housing units are consistent with other residential uses in the neighborhood and should have minimal impact on the existing conditions. The addition of these buildings represents a creative use of currently vacant space that will create more workforce housing within walking distance of downtown.



200 feet Abutters List Report

Keene, NH
July 16, 2024

Subject Property:

Parcel Number: 590-093-000
CAMA Number: 590-093-000-000-000
Property Address: 57 MARLBORO ST.

Mailing Address: GOODELL JARED
PO BOX 305
KEENE, NH 03431

Abutters:

Parcel Number: 585-045-000
CAMA Number: 585-045-000-000-000
Property Address: 84 MARLBORO ST.

Mailing Address: SAVINGS BANK OF WALPOLE
PO BOX 517
WALPOLE, NH 03608

Parcel Number: 585-083-000
CAMA Number: 585-083-000-000-000
Property Address: 36 MARLBORO ST.

Mailing Address: TOUSLEY DORIS C. REV. TRUST
PO BOX 626
KEENE, NH 03431

Parcel Number: 585-084-000
CAMA Number: 585-084-000-000-000
Property Address: 50-54 MARLBORO ST.

Mailing Address: TOUSLEY CHARLES D. REV. TRUST
PO BOX 626
KEENE, NH 03431

Parcel Number: 585-085-000
CAMA Number: 585-085-000-000-000
Property Address: 56 MARLBORO ST.

Mailing Address: NORCROSS ARTHUR & JOAN LIVING
TRUST
PO BOX 10123
SWANZEY, NH 03446

Parcel Number: 585-086-000
CAMA Number: 585-086-000-000-000
Property Address: 33 MARLBORO ST.

Mailing Address: KEYSTONE AMERICA INC.
1929 ALLEN PKWY.
HOUSTON, TX 77019

Parcel Number: 590-078-000
CAMA Number: 590-078-000-000-000
Property Address: 18-22 ELLIOT ST.

Mailing Address: CN3 PROPERTIES LLC
45 DICKINSON RD.
KEENE, NH 03431

Parcel Number: 590-079-000
CAMA Number: 590-079-000-000-000
Property Address: 32 ELLIOT ST.

Mailing Address: FORTE DONNA J
134 DAVIS ST
KEENE, NH 03431

Parcel Number: 590-080-000
CAMA Number: 590-080-000-000-000
Property Address: 36 ELLIOT ST.

Mailing Address: SCOTT RICHARD R REVOC TRUST OF
2023
RICHARD R SCOTT TTEE 26 KELLEHER
ST
KEENE, NH 03431

Parcel Number: 590-081-000
CAMA Number: 590-081-000-000-000
Property Address: 42 ELLIOT ST.

Mailing Address: FORTE DONNA J
134 DAVIS ST
KEENE, NH 03431

Parcel Number: 590-082-000
CAMA Number: 590-082-000-000-000
Property Address: 48 ELLIOT ST.

Mailing Address: GREENWALD JOSHUA A. GREENWALD
JENNIFER E.
39 CONCORD HILL DR.
KEENE, NH 03431



www.cai-tech.com

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200 feet Abutters List Report

Keene, NH
July 16, 2024

Parcel Number: 590-083-000
CAMA Number: 590-083-000-000-000
Property Address: 23 ADAMS ST.

Mailing Address: ASSET DEN I LLC
C/O KELLY CLUETT 201 HIGH ST
ACTON, MA 01720

Parcel Number: 590-084-000
CAMA Number: 590-084-000-000-000
Property Address: 17 ADAMS ST.

Mailing Address: VALLANTE EUGENE C.
PO BOX 2002
SEABROOK, NH 03874-2002

Parcel Number: 590-085-000
CAMA Number: 590-085-000-000-000
Property Address: 11 ADAMS ST.

Mailing Address: ASHER PROPERTIES LLC
77 NASHUA RD.
SHARON, NH 03458

Parcel Number: 590-088-000
CAMA Number: 590-088-000-000-000
Property Address: 83-87 MARLBORO ST.

Mailing Address: WEIN, NAUROZ A.
58 WASHINGTON ST.
CLAREMONT, NH 03743

Parcel Number: 590-089-000
CAMA Number: 590-089-000-000-000
Property Address: 71-81 MARLBORO ST.

Mailing Address: ELLIOT & ISAAC PROPERTIES LLC
184 TALBOT HILL RD.
SWANZEY, NH 03446

Parcel Number: 590-090-000
CAMA Number: 590-090-000-000-000
Property Address: 67 MARLBORO ST.

Mailing Address: TOUSLEY REALTY LLC
PO BOX 626
KEENE, NH 03431-0626

Parcel Number: 590-091-000
CAMA Number: 590-091-000-000-000
Property Address: 00ff MARLBORO ST.

Mailing Address: FORTE DONNA J
134 DAVIS ST
KEENE, NH 03431

Parcel Number: 590-092-000
CAMA Number: 590-092-000-000-000
Property Address: 3 ALIBER PL.

Mailing Address: GOODELL JARED
PO BOX 305
KEENE, NH 03431

Parcel Number: 590-094-000
CAMA Number: 590-094-000-000-000
Property Address: 59 MARLBORO ST.

Mailing Address: GOODELL JARED
PO BOX 305
KEENE, NH 03431

Parcel Number: 590-095-000
CAMA Number: 590-095-000-000-000
Property Address: 53 MARLBORO ST.

Mailing Address: LEANAI LLC
152 CONCORD RD
KEENE, NH 03431

Parcel Number: 590-096-000
CAMA Number: 590-096-000-000-000
Property Address: 47 MARLBORO ST.

Mailing Address: WOODCOCK HOLDINGS LLC
13 MCKINLEY ST.
KEENE, NH 03431

Parcel Number: 590-098-000
CAMA Number: 590-098-000-000-000
Property Address: 226 MAIN ST.

Mailing Address: UNIVERSITY SYSTEM OF NH KEENE
STATE COLLEGE
5 CHENELL DR #301
CONCORD, NH 03301



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200 feet Abutters List Report

Keene, NH
July 16, 2024

Parcel Number: 590-099-000
CAMA Number: 590-099-000-000-000
Property Address: 232 MAIN ST.

Mailing Address: UNIVERSITY SYSTEM OF NH KEENE
STATE COLLEGE
5 CHENELL DR #301
CONCORD, NH 03301

Parcel Number: 590-100-000
CAMA Number: 590-100-000-000-000
Property Address: 246 MAIN ST.

Mailing Address: HISTORICAL SOCIETY OF CHESHIRE
COUNTY
246 MAIN ST.
KEENE, NH 03431

Parcel Number: 590-101-000
CAMA Number: 590-101-000-000-000
Property Address: 238-260 MAIN ST.

Mailing Address: UNIVERSITY SYSTEM OF NH KEENE
STATE COLLEGE
5 CHENELL DR #301
CONCORD, NH 03301

Parcel Number: 590-102-000
CAMA Number: 590-102-000-000-000
Property Address: 26 PROCTOR CT.

Mailing Address: KEMPF LYNN M
1645 SOUTH COUNTY RD 52E
AVON, IN 46123

Parcel Number: 590-103-000
CAMA Number: 590-103-000-000-000
Property Address: 28 PROCTOR CT.

Mailing Address: FORTE DONNA J
134 DAVIS ST
KEENE, NH 03431

Parcel Number: 590-104-000
CAMA Number: 590-104-000-000-000
Property Address: 46 PROCTOR CT.

Mailing Address: FORTE DONNA
134 DAVIS ST
KEENE, NH 03431

Parcel Number: 590-105-000
CAMA Number: 590-105-000-000-000
Property Address: 47 PROCTOR CT.

Mailing Address: HAZEL JACK R. HAZEL JUDITH A.
47 PROCTOR CT.
KEENE, NH 03431

Parcel Number: 590-106-000
CAMA Number: 590-106-000-000-000
Property Address: 33 PROCTOR CT.

Mailing Address: CHESHIRE PROPERTIES LLC
61 HILLTOP DR.
KEENE, NH 03431

Parcel Number: 590-107-000
CAMA Number: 590-107-000-000-000
Property Address: 27 PROCTOR CT.

Mailing Address: HINSDALE HOLDINGS LLC
C/O HOMEFRONT REALTY LLC 1
HORIZON DR
BEDFORD, NH 03110

Parcel Number: 590-108-000
CAMA Number: 590-108-000-000-000
Property Address: 25 PROCTOR CT.

Mailing Address: EVANGJELLO MARGARITA F.
25 PROCTOR CT.
KEENE, NH 03431

Parcel Number: 590-109-000
CAMA Number: 590-109-000-000-000
Property Address: 266 MAIN ST.

Mailing Address: WELDON & FOXWELDON FAMILY LIVING
TRUST
165 SOUTH LINCOLN ST.
KEENE, NH 03431

ADDITIONAL PARTIES TO BE NOTICED:
AUTHORIZED AGENT:
GEORGE HANSEL
TAILFEATHER STRATEGIES
PO BOX 283
KEENE, NH 03431

PROJECT ARCHITECT:
TIM SAMPSON
SAMPSON ARCHITECT
11 KING COURT, SUITE 1E
KEENE, NH 03431



www.cai-tech.com

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City of Keene, NH

1 inch = 50 Feet



July 22, 2024

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Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



General Notes

No.	Revision/Issue	Date

Firm Name and Address
 Tailfeather Strategies
 PO Box 283
 Keene, NH 03431

Project Name and Address
 57 Marlboro Street
 Keene, NH

Project	Concept 1	Sheet
Date	7/13/2024	001
Scale		

57 MARLBORO ST.
ZBA-2024-22



Petitioner requests a Variance to permit new construction within 20' of the minimum interior side setback per Article 4.4.1.E of the Zoning Regulations.



NOTICE OF HEARING

ZBA-2024-22

A special meeting of the Zoning Board of Adjustment will be held on **Monday, August 19, 2024, at 6:30 PM** in City Hall Council Chambers, 2nd floor, 3 Washington St, Keene, New Hampshire to consider the following petition.

ZBA-2024-22: Petitioner, George Hansel of Tailfeather Strategies, requests a variance for property located at 57 Marlboro St., Tax Map #590-093-000. This property is in the Downtown Edge District and is owned by Jarod Goodell. The Petitioner requests a variance to permit new construction within 20 feet of the minimum interior side setback that is required when a parcel in the Downtown Edge District abuts a parcel in the Downtown Transition District per Article 4.4.1.E of the Zoning Regulations.

You are receiving notice of this hearing as an abutter to or owner of property within 200-ft. of the subject parcel.

This meeting is open to the public, and anyone wishing to speak on the proposal will be given an opportunity to be heard during the public hearing for this application. The application for this proposal is available for public review in the Community Development Department on the 4th floor of City Hall between the hours of 8:00 am and 4:30 pm or online at <https://keenenh.gov/zoning-board-adjustment>

Please be advised that this may be the only certified notice you will receive. You are encouraged to review future Zoning Board of Adjustment agendas for the status of this application at keenenh.gov/zoning-board-adjustment. If you have any questions, please contact me at the Community Development Department at (603) 352-5440.

Corinne Marcou, Zoning Clerk
Notice issuance date August 9, 2024



7/16/2024

City of Keene, Community Development Department
3 Washington St., Keene, NH 03431
Attn: Mari Brunner, Zoning Administrator

Re: 57 Marlboro Street development – Narrative for Variance Request No. 2: Relief from the 20’ minimum interior side setback requirements when a parcel in the Downtown-Edge zoning district is abutting a parcel in the Downtown-Transition zoning district

Administrator Brunner,

Tailfeather Strategies, on behalf of property owner Mr. Jared Goodell, submit the following information to aid in the decision to grant a variance for a proposed development on the lot located at 57 Marlboro Street (TMP#: 590-093-000-000-000), which is in the Downtown-Edge zoning district. The site currently has a three-family residential structure and no commercial uses. The property has no street frontage and is sandwiched between a single-family home to the rear and a two-family building along Marlboro Street. All residences on these three parcels are accessed using Aliber Place, a private road that connects to Marlboro Street.

The proposed development intends to construct (3) new duplexes on the site, adding (6) new units of housing. We are seeking relief from the requirement for a 20’ minimum interior side setback as described on page 4-10, Article 4.4.1.E “Dimensions and Siting” of Keene’s Land Development Code (LDC). Accommodating this request will allow for more than 3,000 SF of new green space to be created on the site while reducing visual impacts of the new development from the public right of way.

We look forward to presenting this information to the Zoning Board of Adjustment for their consideration. Please let me know if there are any clarifying questions or concerns.

Thanks and best regards,

A handwritten signature in blue ink, appearing to read "George Harsel", written over a horizontal line.

George Harsel, Tailfeather Strategies

Submitted with permission on behalf of:

A handwritten signature in black ink, appearing to read "Jared Goodell", written over a horizontal line.

Jared Goodell, Property Owner

Zoning Board of Adjustment Variance Application



For Office Use Only:	
Case No.	ZBA-2021-22
Date Filled	7/19/21
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Rev'd by	

If you have questions on how to complete this form, please call: (603) 352-5440 or email: communitydevelopment@keeneh.gov

SECTION 1: CONTACT INFORMATION

I hereby certify that I am the owner, applicant, or the authorized agent of the owner of the property upon which this appeal is sought and that all information provided by me is true under penalty of law. If applicant or authorized agent, a signed notification from the property owner is required.

OWNER / APPLICANT

NAME/COMPANY: Jared Goodell

MAILING ADDRESS: PO Box 305, Keene NH 03431

PHONE: (603) 762-0202

EMAIL: jared@titonmarketing.com

SIGNATURE:

PRINTED NAME: Jared Goodell

APPLICANT (if different than Owner/Applicant)

NAME/COMPANY:

MAILING ADDRESS:

PHONE:

EMAIL:

SIGNATURE:

PRINTED NAME:

AUTHORIZED AGENT (if different than Owner/Applicant)

NAME/COMPANY: George Hansel/Tailfeather Strategies

MAILING ADDRESS: PO Box 283, Keene, NH 03431

PHONE: (603) 903-3677

EMAIL: gsh@georgehansel.com

SIGNATURE:

PRINTED NAME: George Hansel

SECTION 2: PROPERTY INFORMATION

Property Address: **57 Marlboro St., Keene, NH 03431**

Tax Map Parcel Number: **590-093-000-000-000**

Zoning District **Downtown - Edge**

Lot Dimensions: Front: **76.3'** Rear: **111.2'** Side: **197.96'** Side: **106.21'**

Lot Area: Acres: **.30** Square Feet: **13016**

% of Lot Covered by Structures (buildings, garages, pools, decks, etc): Existing: **10.44%** Proposed: **25.19%**

% of Impervious Coverage (structures plus driveways and/or parking areas, etc): Existing: **11406** Proposed: **8,245**

Present Use: **Residential**

Proposed Use: **Residential**

SECTION 3: WRITTEN NARRATIVE

Article 25.5.4.A.: Describe the property location, owner of the subject property, and explain the purpose and effect of, and justification for, the proposed variance.

See attached.

SECTION 4: APPLICATION CRITERIA

A Variance is requested from Article (s) 4.4.1.E of the Zoning Regulations to permit:

New construction within 20' of the Min Interior Side Setback that's required when a parcel in the Downtown Edge (DT-E) zoning district is abutting a parcel in the Downtown Transition (DT-T) zoning district.

Briefly describe your responses to each criteria, using additional sheets if necessary:

1. Granting the variance would not be contrary to the public interest because:

See attached.

2. If the variance were granted, the spirit of the ordinance would be observed because:

See attached.

3. Granting the variance would do substantial justice because:

See attached.

4. If the variance were granted, the values of the surrounding properties would not be diminished because:

See attached.

5. Unnecessary Hardship

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

See attached.

and

ii. The proposed use is a reasonable one because:

See attached.

B. Explain how, if the criteria in subparagraph (A) are not established, an unnecessary hardship will be deemed to exist if and only if, owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of it.

See attached.



Responses to the criteria outlined in Article 25.5.4.A of Keene’s LDC:

SECTION 3: Describe the property location, owner of the subject property, and explain the purpose and effect of, and justification for, the proposed variance.

Property Location: 57 Marlboro Street (TMP#: 590-093-000-000-000)

Property Owner: Jared Goodell, PO Box 305, Keene NH 03431

The subject property currently has a three-family structure and no street frontage. It is accessed using a private road (Aliber Place) that connects to Marlboro Street and acts as a shared driveway for three residential properties: 57 Marlboro Street, 59 Marlboro Street, and 3 Aliber Place. All three parcels are served by city water and sewer. The subject parcel is sandwiched between a lot with a single-family residence to the rear and a lot with a two-family residential property with frontage on Marlboro Street. All three properties are owned by Mr. Jared Goodell. He plans to voluntarily merge 57 Marlboro Street and 3 Aliber Place as part of this proposed development.

The proposal will add (3) two-family structures to a vacant section of 57 Marlboro Street. In total, (6) new housing units will be created. These units will be marketed as workforce housing. While unusual, development without frontage is permissible under RSA 674.41 with approval by the City Council. Mr. Goodell is seeking this approval through a separate request and process.

We are requesting a variance from compliance with the 20’ minimum interior side setback as described on page 4-10, Article 4.4.1.E “Dimensions and Siting” of Keene’s LDC. This will allow the new building to be 5’ from the western-most property line that abuts a parking lot owned by the University System of New Hampshire [see the illustration on page 3].

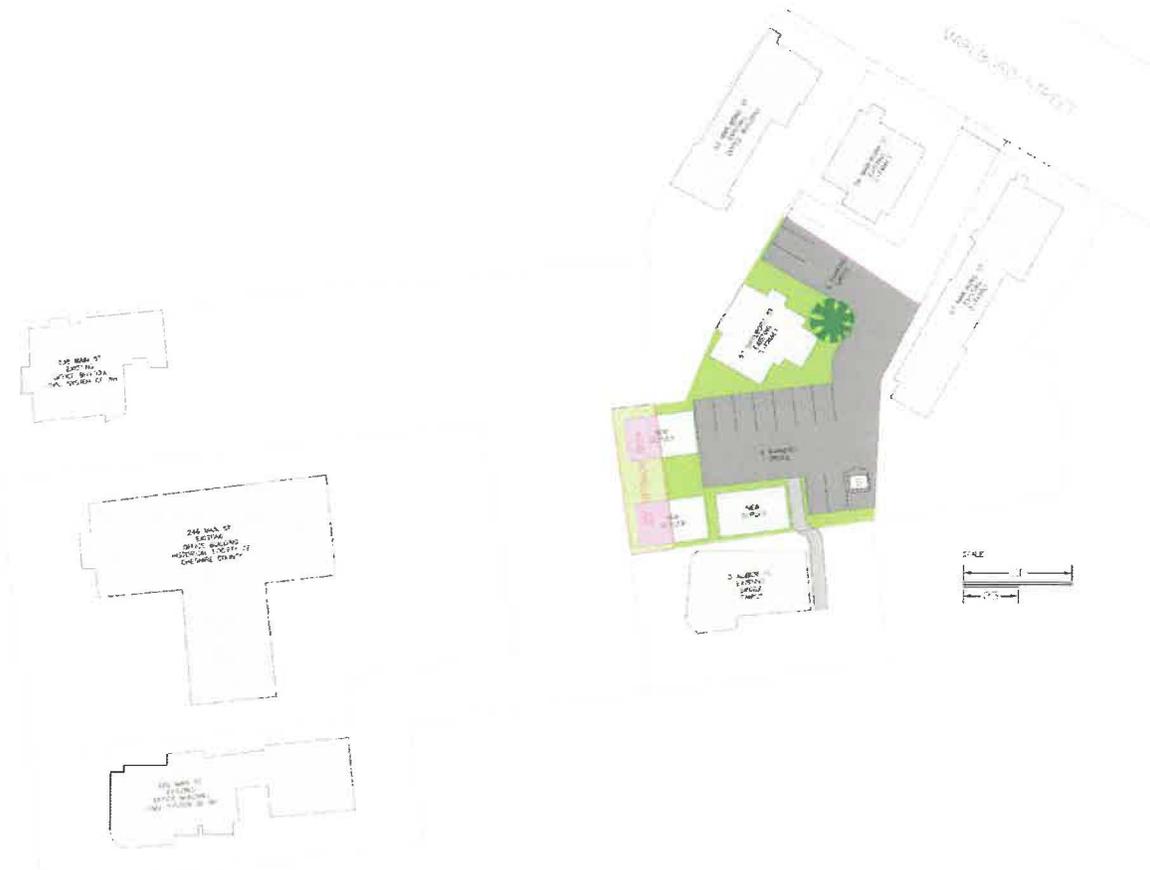
57 Marlboro Street is in the Downton-Edge zoning district, but abutting properties have various zoning designations: Downtown-Edge, Downtown-Transition, and Residential Preservation. This is somewhat unusual because three distinct zoning districts come together around this property, which has no frontage. The proposed building site is 130’ from the public way on Proctor Court, 170’ from the public way along Marlboro Street, and 280’ from the public way along Main Street.

Keene’s Land Development Code requires a 20’ interior side setback when the Downtown-Edge zoning district abuts the Downtown-Transition district. We are requesting a variance to reduce the setback to 5’. This reduction will allow for the lowest impact and most economical design for this new development, adding new housing units while also creating green space. Without this variance, the plan would need to be reconfigured, negatively impacting the development in the following ways:

- Awkward and inconsistent building density
- Challenging maneuvers for vehicles accessing the site
- Increased paved area to accommodate the new development.

- Increased visibility of the new buildings from the public right of way

The abutting property most impacted by this request is owned by the University System of New Hampshire and identified as 238-260 Main Street (TMP#: 590-101-000-000-000). This area is currently used as accessory parking for their properties along Main Street. The border is currently heavily vegetated, which mostly blocks the view from nearby properties on Main Street [refer to illustration on page 5].



Siting the new buildings within 20' of the setback requirement will allow the new development to decrease impervious surface on the site by more than 3,000 SF, replacing areas that are currently paved with greenspace. The proposed building locations will also minimize the visual impact of the new development from the public rights of way on Marlboro Street and Main Street [See illustrations on Pages 4-6].



SECTION 4-1: *Granting the variance would not be contrary to the public interest because:*

It will create new green space

The proposed configuration will create more than 3,000 SF of green space. Should the 20' setback need to be observed, it's likely the current amount of paved area would need to be increased.

It will facilitate the addition of (6) new workforce housing units

A recent Housing Needs Assessment and Strategy prepared by Camoin Associates and commissioned by the City found that there is a need for the creation of approximately 1,400 new housing units in Keene over the next ten years. The granting of this request will help address this housing shortage by creating new workforce housing units.

It will minimize the visual impact of the development from the public right of way

The public's view of the new buildings from Marlboro Street will be largely blocked by existing structures, mitigating the visual impact of the new development from the public right of way. If the 20' setback is observed, it would require a relocation of the proposed buildings to a more visible location, taking away privacy for the new residents and creating more visual impact for the public.

SECTION 4-2: *If the variance were granted, the spirit of the ordinance would be observed because:*

The intent of both the Downtown-Edge and Downtown-Transition districts is to facilitate a gradual transition from higher density in the downtown core, to lower density in the surrounding residential areas. Ironically, because of the unique features of this site, complying with the 20' setback requirement would do the opposite by clustering the building density to the east side of the parcel, away from the downtown and Main Street. Granting this variance request will allow for more balanced building density on the site that is more in line with the intent of both the Downtown Edge and Downtown-Transition districts. Therefore, the spirit of the ordinance will be observed.

SECTION 4-3: *Granting the variance would do substantial justice because:*

The granting of this variance will do substantial justice to the surrounding neighborhood. The placement of the new buildings will be largely out of public view, which will increase privacy for the new residents and protect the public from any visual impacts from the new development.

SECTION 4-4: *If the variance were granted, the values of the surrounding properties would not be diminished because:*

The granting of this variance and the addition of new housing units in this area will not diminish values of the surrounding properties for the following reasons:



Architectural consistency

The new buildings have been designed to be consistent with other buildings in the neighborhood. While these buildings will be the only structures in the surrounding area built in the last 30+ years, they have been designed to be visually consistent with existing residential structures.

On-site infrastructure improvements

This development presents an opportunity to replace aging water and sewer lines, asphalt, and landscaping. The new development will also add more than 3,000 SF of green space to the site. These improvements are sure to increase the surrounding property values.

Highest and best use

The addition of (6) new housing units on this site will more than double the current property value. The current lack of affordable workforce housing in Keene is limiting economic growth. The addition of new housing units creates housing opportunities for new and existing residents, which in turn supports community vitality.

Rather than diminish values of the surrounding properties, this project will likely increase values and may inspire other property owners to pursue similarly creative and low-impact solutions to add housing units to existing underutilized parcels throughout the City.

SECTION 4-5: Unnecessary Hardship

A. Owing to special conditions of the property that distinguish it from other properties in the area, denial of the variance would result in unnecessary hardship because:

This site is unique because it does not have frontage. Although the parcel is located in a moderately dense part of the city, it is 130' from the nearest public street. The part of the site proposed for new development is largely out of the public view, so any adverse visual impacts to the public will be muted. Denial of this variance request will serve no public purpose and will therefore represent an unnecessary hardship for the property owner.

i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision to the property because:

There is no fair and substantial relationship between the general public purposes of the ordinance provision and the specific application of that provision to the property because enforcing the 20' setback requirement would actually be contrary to the intent of the zoning districts being regulated. The Downtown-Edge zoning district is described in the LDC as "providing for a transition into lower intensity commercial or residential development outside of the delineated downtown area" [page 4-2, Article 4.1.1.C]. Similarly, the Downtown-Transition district is described in the LDC as, "intended to complement and transition into existing residential neighborhoods adjacent to downtown Keene" [page 4-2, Article 4.1.1.E]. Granting this proposed variance will allow the



buildings to be well-distributed on the lot and will serve as a better, less jarring, transition between uses to the west on Main Street, and the less dense mixed uses along Marlboro Street to the east.

ii. The proposed use is a reasonable one because:

The proposed use is reasonable because these additional housing units are consistent with other residential uses in the neighborhood. The addition of these units should have minimal impact on the existing conditions and represents a creative use of space to create more workforce housing within walking distance of downtown.



Illustration of public view of the new development from the sidewalk in front of 53 Marlboro Street.



Illustration of view of the new development from the interior parking lot of 246 Main Street (the rear entrance of the Historical Society of Cheshire County).



Illustration of public view of the new development from the sidewalk in front of 59 Marlboro Street.

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57 MARLBORO ST.
ZBA-2024-23



Petitioner requests a Special Exception to permit the major parking reduction per Article 9.2.7.C of the Zoning Regulations.



NOTICE OF HEARING

ZBA-2024-23

A special meeting of the Zoning Board of Adjustment will be held on **Monday, August 19, 2024, at 6:30 PM** in City Hall Council Chambers, 2nd floor, 3 Washington St, Keene, New Hampshire to consider the following petition.

ZBA-2024-23: Petitioner, George Hansel of Tailfeather Strategies, requests a special exception for property located at 57 Marlboro St., Tax Map #590-093-000. This property is in the Downtown Edge District and is owned by Jarod Goodell. The Petitioner requests a special exception to permit the major parking reduction per Article 9.2.7.C of the Zoning Regulations.

You are receiving notice of this hearing as an abutter to or owner of property within 200-ft. of the subject parcel.

This meeting is open to the public, and anyone wishing to speak on the proposal will be given an opportunity to be heard during the public hearing for this application. The application for this proposal is available for public review in the Community Development Department on the 4th floor of City Hall between the hours of 8:00 am and 4:30 pm or online at <https://keenenh.gov/zoning-board-adjustment>

Please be advised that this may be the only certified notice you will receive. You are encouraged to review future Zoning Board of Adjustment agendas for the status of this application at keenenh.gov/zoning-board-adjustment. If you have any questions, please contact me at the Community Development Department at (603) 352-5440.

Corinne Marcou, Zoning Clerk
Notice issuance date August 9, 2024



7/16/2024

City of Keene, Community Development Department
3 Washington St., Keene, NH 03431
Attn: Mari Brunner, Zoning Administrator

Re: 57 Marlboro Street development – Narrative for Special Exception: Major reduction request for onsite parking

Administrator Brunner,

Tailfeather Strategies, on behalf of property owner Mr. Jared Goodell, submit the following information to aid in the decision to grant a special exception for a proposed development on the lot located at 57 Marlboro Street (TMP#: 590-093-000-000-000), which is in the Downtown-Edge zoning district. The site currently has a three-family residential structure and no commercial uses.

The proposed development intends to construct (3) new duplexes on the site, adding (6) new units of housing. We are seeking relief from the requirement for 2 onsite parking spaces per unit for duplexes as described on page 9-3, Table 9-1: “Minimum On-site Parking Requirements” of Keene’s Land Development Code (LDC). Accommodating this request will allow for the creation of (6) new housing units near downtown Keene and Main Street. Our plan calls for providing (11) parking spaces for (10) housing units on the site. This represents a 45% reduction from the (20) parking spots that are required according to Table 9-1 in the LDC. There will be a total of (11) bedrooms on the site, creating a 1:1 parking space/bedroom ratio. The small scale of the new single-bedroom housing units (320 SF ea.), in conjunction with the proximity of the parcel to Main Street and downtown amenities, justifies a reduction in the number of onsite parking spots that are needed.

We look forward to presenting this information to the Zoning Board of Adjustment for their consideration. Please let me know if there are any clarifying questions or concerns.

Thanks and best regards,

A handwritten signature in blue ink, appearing to read "George Hansel", written over a horizontal line.

George Hansel, Tailfeather Strategies

Submitted with permission on behalf of:

A handwritten signature in black ink, appearing to read "Jared Goodell", written over a horizontal line.

Jared Goodell, Property Owner

Zoning Board of Adjustment Special Exception Application



For Office Use Only:	
Case No.	<u>ZBA-2024-23</u>
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or email: communitydevelopment@keenenh.gov

SECTION 1: CONTACT INFORMATION

I hereby certify that I am the owner, applicant, or the authorized agent of the owner of the property upon which this appeal is sought and that all information provided by me is true under penalty of law. If applicant or authorized agent, a signed notification from the property owner is required.

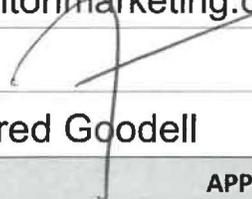
OWNER / APPLICANT

NAME/COMPANY: Jared Goodell

MAILING ADDRESS: PO Box 305, Keene

PHONE: (603) 762-0202

EMAIL: jared@titonmarketing.com

SIGNATURE: 

PRINTED NAME: Jared Goodell

APPLICANT (if different than Owner/Applicant)

NAME/COMPANY:

MAILING ADDRESS:

PHONE:

EMAIL:

SIGNATURE:

PRINTED NAME:

AUTHORIZED AGENT (if different than Owner/Applicant)

NAME/COMPANY: George Hansel/Tailfeather Strategies

MAILING ADDRESS: PO Box 283

PHONE: (603) 903-3677

EMAIL: gsh@georgehansel.com

SIGNATURE: 

PRINTED NAME: George Hansel

SECTION 2: GENERAL PROPERTY INFORMATION

Property Address: **57 Marlboro St., Keene, NH 03431**

Tax Map Parcel Number: **590-093-000-000-000**

Zoning District: **Downtown - Edge**

Lot Dimensions: Front: **76.3'** Rear: **111.2'** Side: **197.96'** Side: **106.21'**

Lot Area: Acres: **.30** Square Feet: **13,016**

% of Lot Covered by Structures (buildings, garages, pools, decks, etc): Existing: **10.44%** Proposed: **25.19%**

% of Impervious Coverage (structures plus driveways and/or parking areas, etc): Existing: **11,406** Proposed: **8,245**

Present Use: **Residential**

Proposed Use: **Residential**

SECTION 3: WRITTEN NARRATIVE

Article 25.6.4.A.: Describe the property location, owner of the subject property, and explain the purpose and effect of, and justification for, the proposed special exception.

See attached.

SECTION 4: APPLICATION CRITERIA

Article of the Zoning Ordinance under which the Special Exception is sought:

Article 9.2.7.C Major Reduction Request for Parking

The Zoning Board of Adjustment shall have the authority to hear and decide special exceptions from the provisions of the Zoning Regulations of the City's Land Development Code, subject to the requirements of Article 25.6, Zoning Special Exception, 25.6.3 Authority and NH RSA 674:33.

Briefly describe your responses to each criteria, using additional sheets if needed:

1. The nature of the proposed application is consistent with the spirit and intent of the Zoning Regulations, this LDC and the City's Comprehensive Master Plan, and complies with all applicable standards in this LDC for the particular use.

See attached.

2. The proposed use will be established, maintained and operated so as not to endanger the public health, safety or welfare.

See attached.

3. The proposed use will be established, maintained, and operated so as to be harmonious with the surrounding area and will not impede the development, use and enjoyment of adjacent property.

See attached.

4. The proposed use will be of a character that does not produce noise, odors, glare, and/or vibration that adversely affects the surrounding area.

See attached.

5. The proposed use will not place an excessive burden on public improvements, facilities, services or utilities.

See attached.

6. The proposed use will not result in the destruction, loss, or damage of any feature determined to be of significant natural, scenic or historic importance.

See attached.

7. The proposed use will not create a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity of the use.

See attached.



Responses to the criteria outlined in Article 9.2.7.C.2 of Keene's LDC:

In determining whether to grant a special exception, the Zoning Board of Adjustment shall make the following findings in addition to those required for a special exception:

a. The specific use or site has such characteristics that the number of required parking spots is too restrictive.

There are no commercial uses in the immediate vicinity that should be impacted by this request. All abutting properties that are accessible from 57 Marlboro Street contain residential uses with long-term rentals. They currently operate in harmony with each other, with each tenant finding a regular spot to park. Parking spots on the site are not currently well marked. This will be remedied as part of the new development as the whole parking area will be repaved and striped.

The proposed development includes the construction of three small duplexes. Each unit will be a total of 320 square feet with a single bedroom. These single-bedroom units are too small to be an attractive housing option for families or more than two unrelated adults, so it is unlikely that multiple cars per dwelling unit will be necessary. In such a case, the City of Keene has overnight parking permits available in city-owned parking lots and garages that are all accessible within a 10-minute walk from the proposed development.

The most likely occupants of these units will be single people, or couples looking for an economical living option within walking distance to downtown amenities. These units will be a short walking distance from Main Street (approximately 500'). The rail trail and other multimodal transportation opportunities are also available in the surrounding area. Multiple two-hour public parking spots are available along Marlboro Street, which can help serve the needs of short-term visitors to the site.

This site is located on the border between areas intended to have high density and activity downtown (where in some cases no onsite parking is required) and mixed residential neighborhoods to the east along Marlboro Street. Granting the request to reduce the number of parking spaces by 45% reflects a compromise and recognition of the duality on either side of the subject property.

b. The requested reduction will not cause long term parking problems for adjacent properties or anticipated future uses.

After the construction of these three new duplexes, the site will be completely developed with little (if any) opportunity for expansion or the addition of new buildings or uses. The two primary abutting properties, 59 Marlboro Street and 67 Marlboro Street, each contain two-family residential structures and have limited opportunity for new construction or expansion in the future. A parking and traffic study prepared by VHB Engineering is attached to this application and provides analysis of the new development as it relates to all three properties that use Aliber Place for primary access:



57 Marlboro Street, 59 Marlboro Street, and 3 Aliber Place. The study found that the new development would have a minimal impact on vehicle trips and that the 13 spaces provided across all three lots is enough to accommodate the average parking demands on the site.

Current conditions do not clearly delineate the shared property lines between 57 Marlboro Street, 59 Marlboro Street, and 67 Marlboro Street. The planned new development will repave, stripe, and relocate a dumpster. These enhancements will improve the current site conditions and ensure the parking spots are better defined. This will be a benefit to adjacent property owners and their tenants by reducing the possibility of parking encroachment by the future 57 Marlboro Street tenants.

SECTION 3: Article 25.6.4.A - Describe the property location, owner of the subject property, and explain the purpose and effect of, and justification for, the proposed special exception.

Property Location: 57 Marlboro Street (TMP#: 590-093-000-000-000)

Property Owner: Jared Goodell, PO Box 305, Keene NH 03431

The subject property currently has a three-family structure and no street frontage. It is accessed using a private road (Aliber Place) that connects to Marlboro Street and acts as a shared driveway for three residential properties: 57 Marlboro Street, 59 Marlboro Street, and 3 Aliber Place. All three parcels are served by city water and sewer. The subject parcel is sandwiched between a lot with a single-family residence to the rear and a lot with a two-family residential property with frontage on Marlboro Street. All three properties are owned by Mr. Jared Goodell. He plans to voluntarily merge 57 Marlboro Street and 3 Aliber Place as part of this proposed development.

The proposal will add (3) two-family structures to a vacant section of 57 Marlboro Street. In total, (6) new housing units will be created. These single-bedroom units will be marketed as workforce housing.

We are requesting a major reduction in the number of parking spaces required for the new development, from (20) onsite parking spaces that are required according to Keene's LDC to (11) onsite parking spaces that are proposed. This represents a 45% reduction from the required spaces according to Table 9-1 in the LDC. There will be a total of (11) bedrooms on the site, creating a 1:1 parking space/bedroom ratio. The small scale of the new single-bedroom housing units (320 SF ea.), in conjunction with the proximity of the parcel to Main Street and downtown amenities, justifies a reduction in the number of onsite parking spots that are needed.

After analyzing the proposed development at 57 Marlboro Street, a NH licensed traffic engineer concluded that "ITE methodologies indicate that the proposed 13 on-site parking spaces would be able to accommodate the average parking demands of the proposed development." [See page 4, VHB Memorandum]. It's important to note that the study included 59 Marlboro Street in the analysis. 59 Marlboro Street has (2) existing housing units and (2) existing parking spaces. This



property is also owned by Mr. Goodell and is accessed using Aliber Place. While 59 Marlboro Street will remain a separate parcel, the decision to include it in the parking and traffic analysis was made to provide a more complete picture of the residential uses impacted by this new development.

SECTION 4-1: The nature of the proposed application is consistent with the spirit and intent of the Zoning Regulations, this LDC and the City's Comprehensive Master Plan, and complies with all applicable standards in this LDC for the particular use:

The proposed application is consistent with the spirit and intent of the Zoning Regulations, this LDC and the City's Comprehensive Master Plan for the following reasons:

It will facilitate the addition of (6) new workforce housing units

A recent Housing Needs Assessment and Strategy prepared by Camoin Associates and commissioned by the City of Keene found that there is a need for the creation of approximately 1,400 new housing units in Keene over the next ten years. The granting of this request will help address this housing shortage by creating new workforce housing units.

Keene's 2010 Comprehensive Master Plan (Master Plan) emphasizes that "A diversity of housing types is important to maximizing the community's appeal to all ages" [Master Plan, Page 42]. Later the Plan expands on this idea saying, "Each of Keene's neighborhoods should be encouraged to have a mix of uses, not only in the village activity centers, but also in range of housing choice and types. Single-family homes, townhomes, condominiums, apartments, accessory dwelling units, small cottages, etc. – all should be considered for inclusion in Keene's neighborhoods in a manner that fits each neighborhood's scale and density goals" [Master Plan, Page 63]. The proposed development, and the small cottage-style community it will create, represents a creative housing solution that lends itself to the diverse housing types promoted in the Master Plan. Furthermore, the proposed development has been designed to be consistent with existing residential uses in the surrounding neighborhood.

It promotes infill development practices

The Master Plan points out that "Since most of the community's available residentially zoned land has been developed, housing needs have to be addressed through infill development and the rehabilitation and redevelopment of existing stock" [Master Plan, Page 49]. The proposed design represents infill development as opposed to urban sprawl, increasing density on an underutilized part of the 57 Marlboro Street parcel that is consistent with the existing uses in the vicinity. Later in the same section, the Master Plan emphasizes that "Focus should be placed on providing housing choices that meet the needs of young professionals, artists, and executives, which were identified as a current gap in Keene's housing stock" [Master Plan, Page 49]. The proposed development will be marketed as workforce housing that will be an attractive housing option for young professionals and artists looking for an affordable place to live within walking distance to downtown amenities.



It will create new green space

The proposed configuration will create more than 3,000 SF of green space replacing existing pavement and gravel with semi-permeable lawn. Adding unnecessary parking to the current plan would have an unintended environmental cost, requiring the replacement of ecologically active space with pavement. Increased water pollution, flooding and heat island effects (higher local temperatures) would result. Community aesthetics and adjacent property values could also be negatively impacted.

It is consistent with other uses where 1 parking space/unit is allowed by right in the LDC

1 parking space/unit is allowed by right for residential uses in the Downtown-Growth (DT-G), and Downtown-Limited (DT-L) zoning districts. The DT-G zoning district allows for “standards for new construction and infill that complement the walkable, urban form of Keene’s downtown” [LDC, Page 4-2]. The closest parcel that is zoned DT-G is only 260’ from the property line of 57 Marlboro Street. It’s clear that the subject parcel is in a location that is meant to transition from the more intense uses in the downtown (where little or no onsite parking is required) and the mixed neighborhoods to the east along Marlboro Street (where more onsite parking is required). Granting this 45% reduction in the parking requirement seems a fair compromise to reflect the fact that this property lies on the border between these distinct areas of the city.

SECTION 4-2: The proposed use will be established, maintained and operated so as not to endanger the public health, safety or welfare:

The project has been designed to comply with relevant standards in the LDC related to Driveway Design Standards and Parking Lot Design Standards [Articles 9.3 and 9.4]. As part of the development, 57 Marlboro Street and 3 Aliber Place will be voluntarily merged by the property owner. This will ensure that use of this section of Aliber Place, a private road, will now be limited to residents of the new consolidated property. This will clearly place responsibility for maintaining this section of Aliber Place and the new parking area on a single entity. This clarity should protect the public’s interest in quickly addressing any potential health or safety issues that may arise in the future, as this area will no longer be “shared” by multiple properties.

SECTION 4-3: The proposed use will be established, maintained, and operated so as to be harmonious with the surrounding area and will not impede the development, use and enjoyment of adjacent property:

The proposed use is consistent with existing uses on the site and the surrounding area. All three properties that are accessible from Aliber Place are owned by Mr. Jared Goodell. They each have residential buildings and are operated as long-term rentals by Mr. Goodell. The expansion of this existing use with the construction of the new housing units will not change the current uses on the site or surrounding properties; Therefore, this development will be harmonious with the use in the



surrounding area. The planned improvements to the site as part of this development (repaving, replacing water and sewer lines, and increasing green space) should have a positive effect on the surrounding properties and community at-large.

The granting of this variance will do substantial justice to the surrounding neighborhood. The reduced number of required parking spaces allows for the placement of the new buildings to be largely out of public view, which will increase privacy for the new residents and protect the public from any visual impacts from the new development.

SECTION 4-4: The proposed use will be of a character the does not produce noise, odors, glare, and/or vibration that adversely affects the surrounding area:

After construction is completed, no additional noise, odors, glare, or vibration are anticipated as part of this development.

SECTION 4-5: The proposed use will not place an excessive burden on public improvements, facilities, services or utilities:

The addition of (6) housing units will not pose an excessive burden on public improvements, facilities, services or utilities. The proposed development plan has been reviewed by city department staff including Police, Fire, and Public Works. No comments or concerns were brought forward as it relates to access to the site for emergencies or the anticipated increase in public sewer discharge and water use.

SECTION 4-6: The proposed use will not result in the destruction, loss, or damage of any feature determined to be of significant natural, scenic or historic importance:

The proposed development will not be modifying or removing any existing structures on the site. Construction of the new buildings will occur on an existing paved parking area that is in very poor condition and has no scenic or historic value.

SECTION 4-7: The proposed use will not create a traffic safety hazard or a substantial increase in the level of traffic congestion in the vicinity of the use:

A review by a NH licensed traffic engineer concluded that the traffic generation from the new development is estimated to be between 5-7 vehicle trips per hour. This is far below the 100 vehicle trips per hour threshold that would constitute a noticeable impact, based on current ITE and NHDOT methodologies. In other words, "...standard traffic engineering practice suggests that the proposed development would be expected to result in negligible impacts to the adjacent roadway system" [See page 1, VHB Memorandum].

To: Chad Branon
Fieldstone Land Consultants, PLLC
206 Elm Street
Milford, NH 03055

Date: July 19, 2024

Project #: 53127.00

From: Jason R. Plourde, PE, PTP

Re: Traffic and Parking Assessment
Proposed Marlboro Street Residential Development
Keene, New Hampshire

Introduction

As proposed, a multi-family residential development will be located off Marlboro Street in Keene, New Hampshire. The site currently contains a two-family residence at 59 Marlboro Street, a three-family residence at 57 Marlboro Street, and a single-family home at 3 Aliber Place. The build program consists of constructing three new two-family residential structures, maintaining the existing residences, and providing 13 on-site parking spaces. Based on preliminary research, Marlboro Street is under City of Keene jurisdiction and Aliber Place is a private roadway. Therefore, review and approval are required with respect to traffic through the City of Keene permitting process. This Traffic and Parking Assessment has been prepared to summarize the estimated site trips generated by the proposed development and the associated parking demand.

Trip Generation Estimates

To estimate the volume of traffic to be generated by the proposed project, trip rates were reviewed from the Institute of Transportation Engineers (ITE) Trip Generation Manual.¹ Table 1 summarizes the trip-generation estimates of the existing and proposed uses. As shown, the proposed development would result in traffic volume increases in the range of 2 to 3 vehicle trips per hour and between 28 and 42 vehicle trips per day (Additional Site Trips column in Table 1). The trip-generation calculations are provided in the Appendix.

In accordance with ITE methodologies² and New Hampshire Department of Transportation (NHDOT) guidance,³ a development may result in a change in vehicular operations if the addition of site trips would increase peak hour traffic volumes at an intersection by 100 vehicles or more. In general, traffic increases less than this threshold could be attributed to the fluctuation of vehicles due to driver patterns that occur during the day, on different days of the week, or different months of the year. The estimated site trips associated with the three proposed multifamily residential structures are not anticipated to exceed this threshold. Further, the combination of the existing and proposed site trips would not exceed the 100 vehicle per hour threshold (Total Site Trips column in Table 1: 5 to 7 vehicle trips per hour). Therefore, standard traffic engineering practice suggests that the proposed development would be expected to result in negligible impacts to the adjacent roadway system.

¹ Institute of Transportation Engineers. Trip Generation Manual, 11th ed. Washington, DC. Sept. 2021.

² Institute of Transportation Engineers. ITE Recommended Practice: Multimodal Transportation Impact Analysis for Site Development. Washington, DC. 2023.

³ Bollinger, Robert E. Inter-Department Communication. New Hampshire Department of Transportation, Bureau of Traffic. 17 Feb. 2010.

Table 1 Trip-Generation Summary

Time Period/Direction	Existing Uses			Total Site Trips
	Single-Family Trips ^a	Multi-Family Trips ^b	Additional Site Trips ^c	
Weekday Daily				
Enter	5	17	21	43
Exit	5	17	21	43
Total	10	34	42	86
Weekday AM Peak Hour				
Enter	0	0	1	1
Exit	1	2	2	5
Total	1	2	3	6
Weekday PM Peak Hour				
Enter	1	2	2	5
Exit	0	1	1	2
Total	1	3	3	7
Saturday Daily				
Enter	5	12	14	31
Exit	5	12	14	31
Total	10	24	28	62
Saturday Peak Hour				
Enter	1	1	1	3
Exit	0	1	1	2
Total	1	2	2	5

a ITE Land Use Code 210: Single-Family Detached Housing for 1 dwelling unit.

b ITE Land Use Code 220: Multifamily Housing (Low-Rise) for 5 dwelling units.

c ITE Land Use Code 220: Multifamily Housing (Low-Rise) for 6 dwelling units.

Parking Demand Estimates

An evaluation was conducted in determining the on-site parking demand for the full build-out program. Table 2 provides an hourly distribution of the average parking demand rates for the existing and proposed residential uses based on ITE methodologies.⁴ The parking demand data are provided in the Appendix.

Table 2 Peak Parking Demand Summary

Start Time	Existing Single-Family Home ^a	Existing Multifamily Homes ^b	Proposed Multifamily Homes ^c	Total On-Site Parking Demand
12:00-4:00 AM	1	5	7	13
5:00 AM	1	5	7	13
6:00 AM	1	5	7	13
7:00 AM	1	4	6	11
8:00 AM	1	3	5	9
9:00 AM	1	3	4	8
10:00 AM	1	2	3	6
11:00 AM	1	2	3	6
12:00 PM	1	2	3	6
1:00 PM	1	2	3	6
2:00 PM	1	2	3	6
3:00 PM	1	2	3	6
4:00 PM	1	2	3	6
5:00 PM	1	3	4	8
6:00 PM	1	3	4	8
7:00 PM	1	4	5	10
8:00 PM	1	4	5	10
9:00 PM	1	4	6	11
10:00 PM	1	5	6	12
11:00 PM	1	5	7	13

a ITE Land Use Code 215: Single-Family Attached Housing for 1 dwelling unit (no ITE parking data available for Land Use Code 210: Single-Family Detached Housing).

b ITE Land Use Code 220: Multifamily Housing (Low-Rise) for 5 dwelling units.

c ITE Land Use Code 220: Multifamily Housing (Low-Rise) for 6 dwelling units.

As shown, the proposed site development would be expected to experience the highest weekday parking demand of 13 vehicles between 11:00 PM and 7:00 AM which is common for residential developments (i.e., late evening and

⁴ Institute of Transportation Engineers. Parking Generation Manual, 6th ed. Washington, DC. 20 Oct 2023.

overnight parking). Therefore, ITE methodologies suggest that the proposed 13 on-site parking spaces would accommodate the parking demand of the development.

Conclusion

In summary, ITE and NHDOT methodologies suggest that a development may have a noticeable impact if the addition of site trips increases traffic volumes at an intersection by 100 vehicles per hour or more. Based on the findings of this Traffic and Parking Assessment, the total site trips for the proposed development are far below this threshold (5 to 7 vehicle trips per hour). These minimal site trips added to the roadway system are considered to be representative of the typical fluctuation of traffic volumes within the area. Therefore, the proposed development is anticipated to result in negligible impacts to the adjacent roadway. In addition, ITE methodologies indicate that the proposed 13 on-site parking spaces would be able to accommodate the average parking demands of the proposed development.

Appendix

Trip-Generation Data
Parking Demand Data

Trip-Generation Data

ITE TRIP GENERATION WORKSHEET
(11th Edition, Updated 2021)

LANDUSE: Single-Family Detached Housing
LANDUSE CODE: 210
SETTING/LOCATION: General Urban / Suburban
JOB NAME:
JOB NUMBER:

Independent Variable --- Number of Dwelling Units

1 dwelling units

WEEKDAY

RATES:	# Studies	R ²	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	174	0.95	9.43	4.45	22.61	246	10	2,945	50%	50%
AM PEAK OF GENERATOR	169	0.91	0.75	0.34	2.27	217	10	2,945	26%	74%
PM PEAK OF GENERATOR	178	0.92	0.99	0.49	2.98	203	10	2,945	64%	36%
AM PEAK (ADJACENT ST)	192	0.90	0.70	0.27	2.27	226	10	2,945	25%	75%
PM PEAK (ADJACENT ST)	208	0.92	0.94	0.35	2.98	248	10	2,945	63%	37%

TRIPS:	BY AVERAGE			BY REGRESSION		
	Total	Enter	Exit	Total	Enter	Exit
DAILY	10	5	5	16	8	8
AM PEAK OF GENERATOR	1	0	1	8	2	6
PM PEAK OF GENERATOR	1	1	0	1	1	1
AM PEAK (ADJACENT ST)	1	0	1	1	0	1
PM PEAK (ADJACENT ST)	1	1	0	1	1	0

SATURDAY

RATES:	# Studies	R ²	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	63	0.91	9.48	3.36	16.52	179	15	1,000	50%	50%
PEAK OF GENERATOR	42	0.89	0.92	0.41	1.78	152	15	644	54%	46%

TRIPS:	BY AVERAGE			BY REGRESSION		
	Total	Enter	Exit	Total	Enter	Exit
DAILY	10	5	5	12	6	6
PEAK OF GENERATOR	1	0	0	11	6	5

SUNDAY

RATES:	# Studies	R ²	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	60	0.94	8.48	2.61	16.44	186	15	1,000	50%	50%
PEAK OF GENERATOR	40	0.92	0.83	0.36	1.67	163	15	644	53%	47%

TRIPS:	BY AVERAGE			BY REGRESSION		
	Total	Enter	Exit	Total	Enter	Exit
DAILY	10	5	5	-62	-31	-31
PEAK OF GENERATOR	1	0	0	6	3	3

ITE TRIP GENERATION WORKSHEET
(11th Edition, Updated 2021)

LANDUSE: Multifamily Housing (Low-Rise): 2-3 Story - Not Close to Rail Transit
LANDUSE CODE: 220 Independent Variable --- Number of Dwelling Units
SETTING/LOCATION: General Urban/Suburban
JOB NAME: 5 dwelling units
JOB NUMBER:

WEEKDAY

RATES:	# Studies	R ²	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	22	0.86	6.74	2.46	12.50	229	33	494	50%	50%
AM PEAK OF GENERATOR	40	0.76	0.47	0.25	0.98	234	12	1,103	24%	76%
PM PEAK OF GENERATOR	38	0.80	0.57	0.25	1.26	231	12	1,103	62%	38%
AM PEAK (ADJACENT ST)	49	0.79	0.40	0.13	0.73	249	12	1,103	24%	76%
PM PEAK (ADJACENT ST)	59	0.84	0.51	0.08	1.04	241	12	1,103	63%	37%

TRIPS:		BY AVERAGE			BY REGRESSION		
		Total	Enter	Exit	Total	Enter	Exit
	DAILY	34	17	17	108	54	54
	AM PEAK OF GENERATOR	2	1	2	30	7	23
	PM PEAK OF GENERATOR	3	2	1	37	23	14
	AM PEAK (ADJACENT ST)	2	0	2	24	6	19
	PM PEAK (ADJACENT ST)	3	2	1	23	14	8

SATURDAY

RATES:	# Studies	R ²	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	1	--	4.55	4.55	4.55	282	282	282	50%	50%
PEAK OF GENERATOR	1	--	0.41	0.41	0.41	282	282	282	51%	49%

TRIPS:		BY AVERAGE			BY REGRESSION		
		Total	Enter	Exit	Total	Enter	Exit
	DAILY	24	12	12	--	--	--
	PEAK OF GENERATOR	2	1	1	--	--	--

SUNDAY

RATES:	# Studies	R ²	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	1	--	3.86	3.86	3.86	282	282	282	50%	50%
PEAK OF GENERATOR	1	--	0.36	0.36	0.36	282	282	282	55%	45%

TRIPS:		BY AVERAGE			BY REGRESSION		
		Total	Enter	Exit	Total	Enter	Exit
	DAILY	20	10	10	--	--	--
	PEAK OF GENERATOR	2	1	1	--	--	--

ITE TRIP GENERATION WORKSHEET
(11th Edition, Updated 2021)

LANDUSE: Multifamily Housing (Low-Rise): 2-3 Story - Not Close to Rail Transit
LANDUSE CODE: 220 Independent Variable --- Number of Dwelling Units
SETTING/LOCATION: General Urban/Suburban
JOB NAME: _____ 6 dwelling units
JOB NUMBER: _____

WEEKDAY

RATES:	# Studies	R^2	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	22	0.86	6.74	2.46	12.50	229	33	494	50%	50%
AM PEAK OF GENERATOR	40	0.76	0.47	0.25	0.98	234	12	1,103	24%	76%
PM PEAK OF GENERATOR	38	0.80	0.57	0.25	1.26	231	12	1,103	62%	38%
AM PEAK (ADJACENT ST)	49	0.79	0.40	0.13	0.73	249	12	1,103	24%	76%
PM PEAK (ADJACENT ST)	59	0.84	0.51	0.08	1.04	241	12	1,103	63%	37%

TRIPS:		BY AVERAGE			BY REGRESSION		
		Total	Enter	Exit	Total	Enter	Exit
	DAILY	42	21	21	114	57	57
	AM PEAK OF GENERATOR	3	1	2	30	7	23
	PM PEAK OF GENERATOR	3	2	1	37	23	14
	AM PEAK (ADJACENT ST)	2	1	2	25	6	19
	PM PEAK (ADJACENT ST)	3	2	1	23	15	9

SATURDAY

RATES:	# Studies	R^2	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	1	--	4.55	4.55	4.55	282	282	282	50%	50%
PEAK OF GENERATOR	1	--	0.41	0.41	0.41	282	282	282	51%	49%

TRIPS:		BY AVERAGE			BY REGRESSION		
		Total	Enter	Exit	Total	Enter	Exit
	DAILY	28	14	14	--	--	--
	PEAK OF GENERATOR	2	1	1	--	--	--

SUNDAY

RATES:	# Studies	R^2	Total Trip Ends			Independent Variable Range			Directional Distribution	
			Average	Low	High	Average	Low	High	Enter	Exit
DAILY	1	--	3.86	3.86	3.86	282	282	282	50%	50%
PEAK OF GENERATOR	1	--	0.36	0.36	0.36	282	282	282	55%	45%

TRIPS:		BY AVERAGE			BY REGRESSION		
		Total	Enter	Exit	Total	Enter	Exit
	DAILY	24	12	12	--	--	--
	PEAK OF GENERATOR	2	1	1	--	--	--

Parking Demand Data

ITE Parking Generation: Time of Day Distribution for Peaking Demand

ITE Land Use Code 215: Single-Family Housing			ITE Land Use Code 220: Multifamily Housing (Low-Rise)		
Existing Single-Family Residence			Existing Multifamily Residences		
Dwelling Units = 1			Dwelling Units = 5		
Weekday Peak Parking Demand = 1			Weekday Peak Parking Demand = 5		
Start Time	% of Peak Parking Demand	Parking Demand	Start Time	% of Peak Parking Demand	Parking Demand
12:00-4:00 AM	100%	1	12:00-4:00 AM	97%	5
5:00 AM	98%	1	5:00 AM	100%	5
6:00 AM	97%	1	6:00 AM	96%	5
7:00 AM	85%	1	7:00 AM	85%	4
8:00 AM	78%	1	8:00 AM	67%	3
9:00 AM	70%	1	9:00 AM	54%	3
10:00 AM	70%	1	10:00 AM	48%	2
11:00 AM	63%	1	11:00 AM	45%	2
12:00 PM	64%	1	12:00 PM	45%	2
1:00 PM	64%	1	1:00 PM	42%	2
2:00 PM	59%	1	2:00 PM	42%	2
3:00 PM	60%	1	3:00 PM	47%	2
4:00 PM	66%	1	4:00 PM	49%	2
5:00 PM	70%	1	5:00 PM	56%	3
6:00 PM	81%	1	6:00 PM	64%	3
7:00 PM	84%	1	7:00 PM	72%	4
8:00 PM	92%	1	8:00 PM	77%	4
9:00 PM	96%	1	9:00 PM	85%	4
10:00 PM	97%	1	10:00 PM	92%	5
11:00 PM	99%	1	11:00 PM	95%	5

ITE Land Use Code 220: Multifamily Housing (Low-Rise)				
Proposed Multifamily Residences				
Dwelling Units = 6				
Weekday Peak Parking Demand = 7				
Start Time	% of Peak Parking Demand	Parking Demand	Start Time	Total Parking Demand
12:00-4:00 AM	97%	7	12:00-4:00 AM	13
5:00 AM	100%	7	5:00 AM	13
6:00 AM	96%	7	6:00 AM	13
7:00 AM	85%	6	7:00 AM	11
8:00 AM	67%	5	8:00 AM	9
9:00 AM	54%	4	9:00 AM	8
10:00 AM	48%	3	10:00 AM	6
11:00 AM	45%	3	11:00 AM	6
12:00 PM	45%	3	12:00 PM	6
1:00 PM	42%	3	1:00 PM	6
2:00 PM	42%	3	2:00 PM	6
3:00 PM	47%	3	3:00 PM	6
4:00 PM	49%	3	4:00 PM	7
5:00 PM	56%	4	5:00 PM	8
6:00 PM	64%	4	6:00 PM	8
7:00 PM	72%	5	7:00 PM	10
8:00 PM	77%	5	8:00 PM	10
9:00 PM	85%	6	9:00 PM	11
10:00 PM	92%	6	10:00 PM	12
11:00 PM	95%	7	11:00 PM	13